



2 July 2021

Committee Secretary
Senate Education and Employment Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Secretary

Clarification to Hansard

I am writing to you concerning evidence provided by me to the Senate Education and Employment Committee during the Senate Estimates hearing on 2 June 2021.

I have identified the following clarification on page 85 of the transcript:

Mr Hehir: To add to that, the Fair Work Act also has offences relating to purporting an arrangement to be different to what it is, and that's the power that the Fair Work Ombudsman uses to deal with sham contracting. It does deal with the question you were requesting of whether this is a genuine contract or not. But that's dealt with under the Fair Work Act provisions.

I would like to clarify that the Fair Work Act has civil remedy provisions, rather than offences, relating to purporting an arrangement to be different to what it is, and it is those provisions that the Fair Work Ombudsman uses to deal with sham contracting.

Yours sincerely

A solid black rectangular box redacting the signature of Martin Hehir.

Martin Hehir
Deputy Secretary
Industrial Relations Group